

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JOE BALL, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:22-cv-216-CWR-LGI

**AMERICAN AIRLINES, INC.,
AND JOHN DOES 1-5**

DEFENDANTS

NOTICE OF REMOVAL

Defendant American Airlines, Inc. (“American Airlines”), by and through counsel, files this Notice of Removal of this cause to the United States District Court for the Southern District of Mississippi, Northern Division, and in support would show unto the Court the following:

THE REMOVED CASE

1. There was commenced in the Circuit Court of Hinds County, Mississippi, a suit, cause number 2022-cv-188 in which Joe Ball, Jr., is the Plaintiff and American Airlines, Inc. (referred to collectively herein as “the Removing Defendant”) is named as a Defendant.

PAPERS FROM THE REMOVED ACTION

2. A copy of the process, pleadings, and orders received or served by/on the Removing Defendant is attached hereto as collective Exhibit “A.” Pursuant to L.U. CIV. R. 5(b), a true and correct copy of the complete file of the Circuit Court of Hinds County will be timely filed with this Court.

THE REMOVAL IS TIMELY

3. Defendant AA was served with process on or about April 1, 2022. Thus, this Notice of Removal is timely filed pursuant to 28 U.S.C §1446(b).

VENUE IS PROPER

4. Venue of this action is proper under 28 U.S.C. §1446(a) because this Court is the

United States District Court for the district and division encompassing Hinds County, Mississippi, where this action was originally filed.

FEDERAL JURISDICTION EXISTS

5. The plaintiff alleges in the Complaint that he is a resident citizen of the State of Mississippi. See Complaint paragraph 1. Attached hereto as Exhibit “A”. Contrary to the allegations of the Complaint, defendant American Airlines, Inc. is a foreign corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 1 Skyview Drive, Fort Worth, Texas. See 2022 Corporate Annual Report of American Airlines, Inc. on file with the Mississippi Secretary of State’s office. Attached hereto as Exhibit “B”. Thus, there is complete diversity of citizenship between plaintiff and defendant. This Court has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1332, and this cause is one which may be removed to this Court pursuant to 28 U.S.C. § 1441(b).

CONCLUSION

8. For the foregoing reasons, this Court has original jurisdiction of the subject matter pursuant to Title 28, United States Code, Sections 1332, and thus has removal jurisdiction under 28 U.S.C. §1441(b).

9. Plaintiff is hereby notified to proceed no further in state court.

10. Written notice of the filing of this notice is being given to the Plaintiff and other parties shown on the attached certificate of service. The Removing Defendant will also file a copy of this Notice with the Clerk of the Circuit Court of Hinds County, Mississippi.

WHEREFORE, PREMISES CONSIDERED, Defendant American Airlines, Inc. hereby requests that this Court proceed with the handling of this cause as if it had been originally filed herein and that further proceedings in the state court are hereby stayed.

Respectfully submitted,

AMERICAN AIRLINES, INC., DEFENDANT

By: /s/ D. Collier Graham, Jr.
D. COLLIER GRAHAM, JR.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I the undersigned counsel for defendant, American Airlines, Inc., do hereby certify that I have this date caused to be served, via the ECF filing system, a true and correct copy of the above and foregoing to the following and to those persons registered as ECF participants:

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This the 21st day of April, 2022.

/s/ D. Collier Graham, Jr.
D. COLLIER GRAHAM, JR.